

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

TROY TURNER,
Defendant.

MEMORANDUM DECISION AND
ORDER GRANTING
GOVERNMENT'S MOTION TO
TERMINATE SUPERVISED
RELEASE

Case No. 2:04-CR-776 TS

This matter is before the Court following the February 15, 2011, hearing on the government's Motion to Terminate Supervised Release because Defendant has successfully completed and graduated from the RISE drug reentry program. Defendant has now completed arrangements to meet the financial obligations imposed by his sentence and the Court terminates his supervised release.

BACKGROUND

On February 26, 2009, Defendant admitted violating the terms of his supervised release and his supervised release was revoked. On the same day, he was sentenced to 18 months in the custody of the BOP and 60 months of supervised release for a violation

of the conditions of the terms of his original supervised release. On March 3, 2009, he was referred to this district's RISE program.

DISCUSSION

The Court may modify or reduce a term of supervision under 18 U.S.C. § 3583(e)(2) and Fed.R.Crim.P. 32.1. In making this determination, the Court must consider many of the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.¹

The Court has considered these factors, has reviewed the docket and case file, has consulted with Defendant's supervising probation officer and has reviewed his supervision history and his many progress reports in the RISE program. The Court finds as follows: Defendant is now fully compliant with all the terms of his supervised release and the directives of the probation office. He is working full-time, has completed substance-abuse treatment, and has successfully undergone periodic testing. He is a leader of the RISE program and volunteers to help others. He has made arrangements to satisfy his remaining financial obligations imposed by the Sentence. He has successfully completed the RISE program.

Based on these findings and on consideration of the applicable § 3553(a) factors, the Court finds that termination of Defendant's term of supervised release is both warranted by the conduct of the offender and is in the interest of justice.

¹*Id.* (directing that the court consider factors set forth in § 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)).

CONCLUSION

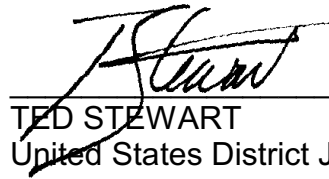
Based upon the above, it is hereby

ORDERED that Government's Motion to Terminate Supervised Release is GRANTED and Defendant's supervised release is terminated.

SO ORDERED.

DATED this 17th day of March.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Ted Stewart", is written over a horizontal line. The signature is stylized with a large, sweeping initial "T".

TED STEWART
United States District Judge